UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

NEWSTAR SOURCING AND SERVICE, LLC,

Case No.: 8:19-cv-00226

Plaintiff,

STIPULATION OF DISMISSAL WITHOUT PREJUDICE

vs.

DAVID PATEE; DANIEL PATEE; and CONSUMERS SUPPLY DISTRIBUTING, LLC,

Defendants.

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the parties stipulate to dismissal of the above-captioned lawsuit without prejudice, including all claims and counterclaims, with each party to bear its own costs.

DATED this 20th day of December, 2019.

NEWSTAR SOURCING AND SERVICE, LLC, Plaintiff

s/ Andre R. Barry

Andre R. Barry, #22505 Megan S. Wright, #21782 Cline, Williams, Wright, Johnson & Oldfather, L.L.P. 233 South 13th Street 1900 US Bank Building Lincoln, NE 68508 Telephone: 402-474-6900

Email: <u>abarry@clinewilliams.com</u> Email: <u>mwright@clinewilliams.com</u> DAVID PATEE AND DANIEL PATEE, Defendants

s/ Daniel L. Hartnett

Daniel L. Hartnett, # 16493 CRARY HUFF RINGGENBERG HARTNETT & STORM, P.C. 329 Pierce Street, Ste. 200 PO Box 27 Sioux City, Iowa 51102 Telephone: (712) 277-4561

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CONSUMERS SUPPLY DISTRIBUTING, LLC, Defendant

s/ Patrick S. Cooper

Michael F. Coyle, #18299 Patrick S. Cooper, #22399 FRASER, STRYKER LAW FIRM 409 South 17th Street Suite 500, Energy Plaza Omaha, NE 68102 Telephone: (402) 341-6000

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 20th day of December, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system. Notice of this filing will be sent to counsel of record by operation of the Court's electronic filing system.

<u>/s Andre R. Barry</u> Andre R. Barry

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